AO 257 (Rev. 6/78)	
DEFENDANT INFORMATION RELATIVE TO	DA CRIMINAL ACTION - IN U.S. DISTRICT COURT
BY: COMPLAINT INFORMATION INDICTMENT	Name of District Court, and/or Judge Magistrate Location
OFFENSE CHARGED SUPERSEDIN	7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7
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X Felon	DISTRICT COURT NUMBER
PENALTY:	DISTRICT COURT NOMBER
Not More than 20 years imprisonment Not More than 3 years supervised release	C
\$250,000 or twice the gross gain or loss \$100 Special Assessment	S WH
	DEFENDANT
PROCEEDING	IS NOT IN CUSTODY Has not been arrested, pending outcome this proceeding.
Name of Complaintant Agency, or Person (& Title, if any)	1) If not detained give date any prior
Federal Bureau of Investigation	summons was served on above charges E-filing
person is awaiting trial in another Federal or State Court,	2) Is a Fugitive
☐ give name of court	O) F7 to an Beile a Belease from (chan Sintist)
	3) Is on Bail or Release from (show District)
this person/proceeding is transferred from another district	
per (circle one) FRCrp 20, 21, or 40. Show District	IS IN CUSTODY
	4) \(\square\) On this charge
this is a reprosecution of	
charges previously dismissed which were dismissed on motion SHOW	5) On another conviction
of: DOCKET NO.	6) Awaiting trial on other charges
U.S. ATTORNEY DEFENSE	If answer to (6) is "Yes", show name of institution
<u>. </u>	
this prosecution relates to a pending case involving this same	Has detainer Yes If "Yes"
defendant MAGISTRATE	been filed? No Sive date filed
CASE NO. prior proceedings or appearance(s)	DATE OF Month/Day/Year
before U.S. Magistrate regarding this	ARREST *
defendant were recorded under	Or if Arresting Agency & Warrant were not
Name and Office of Person Furnishing Information on this form MELINDA HAAG	DATE TRANSFERRED Month/Day/Year TO U.S. CUSTODY
□ U.S. Attorney □ Other U.S. Agency	
Name of Assistant U.S.	This report amends AO 257 previously submitted
Attorney (if assigned)	
	ORMATION OR COMMENTS
PROCESS: ☐ SUMMONS ☑ NO PROCESS* ☐ WARRANT	Bail Amount:
SUMMONS NO PROCESS* WARRANT If Summons, complete following:	Dail Amount.
Arraignment Initial Appearance	* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment
Defendant Address:	Transmission, Since magistrate has seneralled artalynment
	Date/Time: Before Judge:
Commenter	

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BY: COMPLAINT INFORMATION INDICTMENT OFFENSE CHARGED SUPERSEDING VIOLATION: 18 U.S.C. \$ 1343 - Wire Fraud Petty Minor Minor Mindemenand Petty Minor M	JRT
VIOLATION: 18 U.S.C. § 1343 - Wire Fraud Petty Minor Mi	
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attorney (if assigned)	
ADDITIONAL INFORMATION OR COMMENTS	
PROCESS:	
SUMMONS NO PROCESS* WARRANT Bail Amount:	
If Summons, complete following: Arraignment Initial Appearance * Where defendant previously apprehended on complaint, no new summo	ons or
Warrant needed, since Magistrate has scheduled arraignment Defendant Address:	
Date/Time: Before Judge:	
Comments:	

ZOII MAR - 1 P R: 15 MELINDA HAAG (CABN 132612) 1 United States Attorney 2 3 4 5 6 7 8 WHA UNITED STATES DISTRICT COURT 9 NORTHERN DISTRICT OF CALIFORNIA 10 SAN FRANCISCO DIVISION 0099 11 E-filing UNITED STATES OF AMERICA, Ño. 12 VIOLATION: 18 U.S.C. § 1343 – Wire Plaintiff, 13 14 LAWRENCE R. GOLDFARB, and 15 BAYSTAR CAPITAL MANAGEMENT, SAN FRANCISCO VENUE 16 LLC, 17 Defendants 18 <u>INFORMATION</u> 19 The United States Attorney charges: 20 On or about and between January 2005 and December 2010, in the Northern District of 21 California, the defendants, 22 23 LAWRENCE GOLDFARB and, BAYSTAR CAPITAL MANAGEMENT, LLC, 24

having devised and intending to devise a scheme and artifice (A) to defraud as to a material matter, and (B) to obtain money by means of materially false and fraudulent pretenses, representations, and promises, for the purpose of executing such scheme and artifice and attempting so to do, did knowingly cause to be transmitted in interstate commerce by wire

INFORMATION

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communication certain wire transfers and writings, namely, communications to investors in which the defendants failed to disclose the extent of the distributions from Island Fund, an investment vehicle defendants managed on behalf of investors, and that the defendants had reinvested those distributions into business entities some of which were owned and controlled by the defendants;

All in violation of Title 18, United States Code, Section 1343.

DATED: 3/1/11

MELINDA HAAG United States Attorney

MIRANDA KANE Chief, Criminal Division

(Approved as to form:

JONA/THAN SCHMIDT

Assistant United States Attorney